

views on the matter. I therefore earnestly request you to allow us to express our views so that you can give your considered opinion after hearing us.

Mr. SPEAKER.—Was he not one of the persons who participated yesterday?

Sri K. S. SURYANARAYANA RAO.—No, Sir.

Mr. SPEAKER.—I am sorry I do not have a copy of the yesterday's proceedings in front of me.

Sri C. J. MUCKANNAPPA.—Tomorrow, the Finance Minister is presenting the Budget and day after tomorrow, the general discussion on the Budget will take place. If you say that we can refer to it in the general discussion on the budget, then we lose our right to ask clarifications on the statement made by the Hon'ble Food Minister.

Mr. SPEAKER.—I did not say that I will not allow the Member to have clarifications to day. How it has come about the House is fully aware. If the Bill was over, today we would have been in a different position.

Sri S. SIVAPPA (Shravanabelagola).—Allowance of a clarification on the statement of the Food Minister has been conceded. This comes first. When you have agreed, we shall take it up. The question is whether the situation of food is more urgent and important or a Financial Bill like this raising the States revenue, is important? These are two issues before us. Whether the drought conditions in the State are more important or a measure to impose tax on the people is more important is a matter for consideration. You have been very gracious and reasonable in saying that 'I am going to allow it and we shall take up tomorrow as the members are not ready.' You said yesterday like that. This should get priority as the scarcity conditions are prevailing in the State.

Mr. SPEAKER.—I am thankful to the Leader of the Opposition for the very kind sentiments he mentioned by saying that I was gracious enough to say that it is to be taken up tomorrow. After all, I discharged the duties of the speaker. When this is to be taken up and whether this clarification should be taken up now is to be considered now. Sri Shivappa referred to a point of order. The point of order takes precedence. Point of order have been sufficiently discussed practically threadbare yesterday.

Sri G. V. GOWDA (Palya).—I was not allowed to support.

Mr. SPEAKER.—The members may kindly peruse Rule No. 311. It deals with the point of order.

### **Speaker's Ruling re : the Procedure for consideration of at Motion and the Amendment to elicit public opinion on Bills.**

Mr. SPEAKER.—It is not as a matter of right I am trying to hear. Yesterday, Sri Annarao referred to sub-rule and explained how the

(MR. SPEAKER)

amendment should be considered and I said that so far as the discussion is concerned, it is open to the Chair and the discussion on the main motion and the amendments can be placed together.

Sri ANNARAO GANAMUKHI (Afazalpur).—You did not give any ruling on my point of order. I have a grouse that my point of order is not taken into consideration at all.

Mr. SPEAKER.—I am sorry I do not know why he is entertaining a grouse. I do not know whether he has meant it. Why should he have a grouse against me? On a Bill on prior occasion, we had decided what is to be done. This is what happened on 18th September 1963 in this House, when the Mysore Dramatic Performance Bill, 1963 was moved. There are identical points with regard to the moving or the other and that it should be circulated and taken up or that two could be taken up. It reads like this:

Sri R. M. PATIL (Minister for Municipal Administration).—I beg to move.

“That the Mysore Dramatic Performances Bill, 1963, be taken into consideration.”

ಶ್ರೀ ಎಸ್. ಶಿವಪ್ಪ.—ಮಾನ್ಯ ಸಭಾಪತಿಗಳೇ, ರಾಜ್ಯಾಂಗದತ್ತವಾಗಿ ಪ್ರಜೆಗಳಿಗೆ ಬಂದಿರತಕ್ಕ ಸ್ವಾತಂತ್ರ್ಯಕ್ಕೆ ಅಡ್ಡಿ ತರತಕ್ಕ ಮಸೂದೆಯನ್ನು ಸಭೆಯ ಮುಂದೆ ಮಂಡಿಸಲು ಸರ್ಕಾರದವರು ಪ್ರಯತ್ನಪಡುತ್ತಿರುವುದರಿಂದ ಸರ್ಕಾರದವರ ಈ ನೀತಿಯನ್ನು ಬಂಡಿಸಲು ನಾವು ಸಭಾತ್ಯಾಗ ಮಾಡುತ್ತೇವೆ.

*(The members of the Opposition staged a walk-out).*

Mr. SPEAKER.—There were some amendments by three members demanding that this Bill be circulated for the purpose of eliciting public opinion. Amendments were moved by Sriyuts Sri Sivappa, Sri B. R. Sunthankar and Sri A. Krishna Shetty. It was said that unless the amendments were adopted, the Bill cannot be taken up.

Sri D. PARAMESHWARAPPA (Honnali).—Sir the Act of 1843 with regard to the dramatic performances is repealed. Let us find out the correct position.

Sri ANGADI CHANNABASAPPA (Hadagalli).—Sir, because the Acts have been repealed, they will not be available here in India.

Sri D. PARAMESHWARAPPA.—This is an important issue because it involves some constitutional bonds of legislation. Therefore, I request the Chair to give sufficient time. I suggest that an adjournment of the consideration of the Bill will be better also.

ಶ್ರೀ ಎಸ್. ಶಿವಪ್ಪ.—ಕನ್ನಡ ಜನತೆಯ ಮೇಲೆ ವಿಶ್ವಾಸವಿಟ್ಟು ಕನ್ನಡ ಕಲೆಗೆ ಪ್ರೋತ್ಸಾಹ ಕೊಡತಕ್ಕ ಉದ್ದೇಶದಿಂದ ಈ ಮಸೂದೆಯ ಚರ್ಚೆಯನ್ನು ಮುಂದಕ್ಕೆ ಹಾಕಬೇಕೆಂದು ನನ್ನ ತಿದ್ದುಪಡಿಯನ್ನು ಸಭೆಯ ಮುಂದೆ ಮಂಡಿಸುತ್ತಿದ್ದೇನೆ.

Mr. SPEAKER.—Objection was raised saying that we have to speak on the amendments only and not on the merits of the Bill.

Sri S. M. KRISHNA.—If the amendment is carried, then discussion on the Bill is postponed to a later date. .... I request the Chair to take the amendment on its own merit and the Bill on its own.

**SRI K. LAKKAPPA (Hebbur).**—When such an amendment is tabled, the Chair should allow discussion on the amendment first and then the Bill may be considered.

**SRI ANNARAO GANAMUKHI.**—Sub-rule (2) says that the member in charge of the Bill may move that the Bill be taken into consideration and any member may move as an amendment that the Bill be circulated for the purpose of eliciting public opinion.

**MR. SPEAKER.**—All these discussions went on, covering pages. Ultimately, I said both of these will be open and the amendment will be put to the vote first and the Bill afterwards. This is more. I refer to page 277. I Passed on that book yesterday to Sri Krishna. This is what he says :

“In the House of the People after a motion is moved, amendments to Motion are also permitted to be moved and both the Motion and the amendments are open for a single discussion.”

That is what we have done and that is how we have decided on the last occasion. If there is anything in addition to that, the member may enlighten me.

**SRI S. M. KRISHNA.**—I am referring to more again on page 353 :

“Motion for circulation : when such a motion as moved by a Member in charge or as an amendment, is being discussed, Members are not entitled to go into questions of principles of the Bill at all. The question before the House is a narrow question whether the Bill should be considered now or should be circulated and Members must confine their remarks to the narrow question. A similar situation arose in the Central Assembly in 1924.”

**MR. SPEAKER.**—That was according to the old Procedure.

**SRI S. M. KRISHNA.**—There, the President said :

“I would remind the Hon'ble Member and the House that the question that is being debated at present is only the narrow question whether the Bill should be taken into consideration now or whether it should be circulated for opinion. It is not open therefore to Members to go into the merits of the various points which they may wish to be further considered. They can merely indicate the points on which they think there should be further consideration by the country.”

This also may be considered.

**SRI K. S. SURYANARAYANA RAO.**—Sir, I wish to draw your attention to page 378 by S S. More on Practice and Procedure:—

Mr. SPEAKER.—The Hon'ble Member may kindly refer to references given in support of it. They are old. That is also the English procedure. I will examine the whole thing.

† Sri K. S. SURYANARAYANA RAO.—When we discuss the question of amendment, we will not be discussing the principles of the Bill. Therefore, by passing of a resolution or an amendment for circulation. House is not committed to the principles of the Bill. Therefore, it is open to this House to speak on the merits of the Bill at a later stage and supposing we are asked to debate and consider the two together, we will be deprived of an opportunity of canvassing for circulation at the first instance and merits of the case at a later stage. Therefore, we are at a very preliminary stage for a limited purpose of considering whether this Bill should be circulated or should be considered by this House. Therefore, Sir, we will have to first decide whether we should discuss the principles or whether we discuss to take the public opinion, and then to come before this House, then consider the merits of the case in the light of the public opinion that we have collected. So, in that view of the matter, I believe even though the decision may be old, it is as good as gold. Therefore, I believe since this is a matter of principle, I wish whatever be the procedure that has been followed whatever might have been the rulings that the Hon'ble Speaker might have given in the past, I only wish that the Hon'ble Speaker devote a little more time and allow us to put our hands on some other rules of procedure and precedents in the House of Parliament and elsewhere and submit them. Therefore, this is a matter which cannot be lightly treated and discussed because it goes to the very fundamentals and principles. I wish the Hon'ble Speaker will bear this aspect of the matter while taking into consideration whether to allow discussion to go on with the limited scope of the amendment or we should go on with both.

Mr. SPEAKER.—The Hon'ble Member refers to page 378. I have glanced through some of them. I do not say my opinion is final. All those are under the old procedure where it was as a matter of rigid rule, that the amendment was always taken up first and decided upon, one after another. There was no question at any time a series of amendments being put together. This is the procedure which has been evolved recently. If the Members go through the old decisions and old statements, normally the question is a proposition before the House; if any amendment is proposed, then that amendment is to be decided; if there are hundred amendments, those are to be taken up one after another and not collectively. Today, Members are not going to suggest that it is the procedure. Series of amendments are taken together. In fact there was no right for the Speaker to select amendments. Today, it is not like that. Even if notices on amendments are given, it is found to be dilatory, it is not liable to be admitted. In spite of that I am trying to find out whether there is anything in support of the point that what the House has decided upon, on the last occasion, should be revived again. I have got all those authorities in mind. I will pass on the book to Members

desiring to go through it. With regard to amendment, sanction of Government for circulation motion is necessary. It is on page 63 of the Book cited here. Giving his ruling on standing order 38, the President recalled the opinion of 20th September 1921. Our rules are not on this basis. So the ruling given on standing orders which were then in force should not be taken as governing today's situation. They are not the standing orders under which we are functioning.

The President recalled the Proceedings of 1921 in which he ruled that the Assembly was committed to the principles once it had passed any of the three motions mentioned in standing order 38. The standing order says that the House should not be considered to be committed to the Members of the Bill if it merely adopted a motion for its circulation. These are things which are cited from old standing orders which are different. Now the Members have to rely upon new rules. I request them to kindly interpret that and help me in interpreting it.

### Members Representation.

**Sri C. J. MUCKANNAPPA.**—Sir, under the rules of procedure, Members have got a privilege to come and sit in this House and deliberate. But the Speaker has got a place; the Deputy Speaker has got a place; the Legislature Secretariat officials have got a place; the V. I. P. and officials have got a place; the Press has got a place. I want to know whether plain clothed police officers can sit in the Press Gallery. A sub-Inspector of Police in plain clothes is sitting along with the Pressmen just behind the Marshall. Is it at the instance of the Hon'ble Speaker or at whose instance the Sub-Inspector in Plain clothes is sitting there because we are under a sort of intimidation? It is a matter of privilege. I request the Hon'ble Chair to enlighten this House under whose permission he is sitting here.

**Mr. SPEAKER.**—I do not think any sub-Inspector has a right to sit in the Press Gallery.

**Sri C. J. MUCKANNAPPA.**—He has gone out.

**Mr. SPEAKER.**—Order, order. When a point is brought to my notice, I am trying to look into it. No Sub-Inspector in plain clothes or otherwise has got a right to sit in the Press Gallery. If he is there, please see he is not there and ask him why he had come there, with whose permission and for what purpose.

**Sri K. S. SURYANARAYANA RAO.**—On a previous occasion, the chair had mentioned that the Lounge is also included.

**Mr. SPEAKER.**—The Hon'ble Member may deal with the Point of Order. Otherwise, I will take that he has said all that he wanted to say. I have dealt with the point and if he still harps on it, how will we be able to transact our business?